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Joint written statement* submitted by the International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD), non-governmental organization in special consultative status; International Educational Development, Inc., and the World Peace Council, non-governmental organizations on the roster

The Secretary-General has received the following written statement, which is hereby circulated in accordance with Economic and Social Council resolution 1996/31.

[2 February 2018]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Yemen - Women and Girls in Conflict*

Background and Humanitarian Situation

Yemenis have been experiencing an ongoing civil war since 2014 when the Houthis, an anti-government force, took control of the city of Sana'a. This fight became international with the 2015 intervention by the Saudi-led coalition.

The conflict has quickly escalated into an extremely dire humanitarian crisis and in December 2017, it reached 1000 days of civil war. During these years of war, the Yemeni population has been witnessing multiple grave human rights violations, such as enforced displacements, enforced disappearances, abductions, indiscriminate killings and attacks on civilians.

Furthermore, the attacks and indiscriminate shelling carried out by all parties to the conflict have left Yemen in ruins and without effective medical aid, sufficient food and clean water. The country is equally facing famine. Consequently, an increasing number of people are suffering from malnutrition and a health crisis caused by the destruction of most of the facilities paralleled by the widespread presence of cholera and waterborne diseases. The Yemeni population has been surviving thanks to humanitarian aid. In fact, the country "imports up to 90 per cent of its daily needs"1. This is why it is crucial that all parties to the conflict ensure access to humanitarian workers in order to provide the civilian population with all the basic necessities of which they are in urgent need.

Discrimination against Women and Human Rights Violations

During armed conflicts the two categories of the population that are the most vulnerable and the most affected by the situation are children and women. Already before the beginning of the civil war and for the last three decades, women in Yemen have been facing different forms of discrimination. According to a 2013 UNFPA survey, 92% of Yemeni women have experienced violence at home.2

The war further aggravates their vulnerability, increasing the discrimination and violations they face, both physically and psychologically. They have been confronted with extreme human rights and gender based violence among which are killings, injuring, sexual harassment, denied right to education and healthcare.

International Human Rights and Humanitarian Law

Yemen has ratified 7 of the 9 human rights treaties, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1984. According to Article 2 of this Convention, State Parties should "condemn discrimination against women in all its forms". Furthermore, because Yemen experiences an ongoing civil war, women should be protected and should have their basic human rights respected equally under international humanitarian law. During conflicts, women are more vulnerable and have a higher risk to be victims of gender-based violence and sexual violence. According to the 2017 UNFPA survey, the number of women and girls at risk of gender-based violence in the country amounts to 2.6 million3.

Right to Education

According to article 10 of CEDAW, States Parties should ensure that women have the same rights as men in terms of access to education. However, already before the civil war, access to school was a major challenge for a girl, and

1 http://www.un.org/apps/news/story.asp?NewsID=58044#.WjuUU8bh1E5

2 http://yemen.unfpa.org/en/news/violence-against-women-escalates-under-yemens-brutal-conflict

3 UNFPA (2017), UNFPA Response in Yemen : Monthly situation. http://www.unfpa.org/sites/default/files/resource-pdf/UNFPA_Yemen_-_Monthly_SitRep_11_November_2017_-_final.pdf

according to UNICEF, in 2005 almost 50 per cent of girls at the age of primary school did not attend school and more than half of Yemeni women were illiterate4.

The conflict and the indiscriminate shelling have led to the destruction of schools and resulted in a decrease in the already low number of children that have access to education. In periods of war, girls are more often forced into marriage and are facing extremely high risks to be victims of gender-based violence. These are just two of several war consequences that are aggravating the already difficult challenge of access to education for girls in the country.

Education is a powerful tool to gain more independence, especially in economic terms, and it is also going to be crucial for the future of the country in the post-conflict period of reconstruction.

Right to Healthcare

Yemen is facing a grave healthcare crisis. A high number of hospitals and health facilities have been destroyed and are not usable to treat the large number of civilians that are in need of medical care. Moreover, humanitarian aid workers are experiencing difficulties in delivering medicines where they are needed. In the conflict women have generally seen their health further deteriorate, and pregnant women are one category of the population that has been suffering. According to UNFPA, 52,800 pregnant women are in urgent need of "life-saving maternal care and medicines"5.

Having ratified CEDAW, Yemen authorities should make sure to create measure to "(…) eliminate discrimination against women in the field of health care (…)" as stated in article 12, in order to be in compliance with the Convention.

Child Marriage

Child marriage is a reality with which girls in Yemen have often been confronted, even before the beginning of the civil war. According to UNFPA, 52% of the girls were married before the age of 186. This phenomenon has increased during the conflict. In fact, according to UNICEF, in 2017 two girls out of three have been forced into marriage before age 187. During war time, families are more exposed to poverty and insecurity and consider marriage for their daughters as an economic relief solution to their difficult situations.

Article 16 of the CEDAW states that child marriage "shall have no legal effect, and all necessary measures, including legislation, shall be taken to specify a minimum age for marriage (…)". However, in Yemeni legislation there is no clear definition of the legal age for marriage. As a signatory of CEDAW, Yemen should define the legal age of marriage in order to be in full compliance with the convention.

Recommendations

- The international community and the Yemeni government should take all possible measures to ensure access to humanitarian workers in order to provide civilians with the necessary humanitarian aid.
- All parties to the conflict should stop committing human rights violations and respect international human rights and humanitarian law.
- During war women are highly vulnerable to different forms of human rights violations and gender based violence. They should be protected and all perpetrators of these crimes should be held accountable.

4 https://www.unicef.org/education/yemen_25167.html

5 UNFPA (2017), UNFPA Response in Yemen - Monthly situation. http://www.unfpa.org/sites/default/files/resource-pdf/UNFPA_Yemen_-_Monthly_SitRep_11_November_2017_-_final.pdf

6 http://www.unfpa.org/news/fighting-justice-women-amidst-conflict-yemen

7 http://files.unicef.org/yemen/Yemen2Years-children_falling_through_the_cracks.pdf

- The Yemeni government should ensure that women do not experience any discrimination because of their gender. Furthermore, their right to education and their right to healthcare should be ensured in compliance with international human rights law, and the CEDAW convention that the country has ratified.
- Given the increasing number of child and forced marriage of girls, the Yemeni government should ensure the adoption of a law specifying the minimum age for marriage in compliance with all the ratified treaties.

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*Geneva International Centre for Justice (GICJ), The Arab Lawyers Association-UK, The Brussells Tribunal, Euro-Mediterranean Human Rights Monitor, Association of Humanitarian Lawyers (AHL), The Iraqi Commission for Human Rights (ICHR), Association of Human Rights Defenders in Iraq (AHRD), General Federation of Iraqi Women (GFIW), Organisation for Justice & Democracy in Iraq (OJDI), The Iraqi Centre for Human Rights, International Anti-Occupation Network (IAON), NGO(s) without consultative status, also share the views expressed in this statement.